

REMARKS

This paper is in response to the Office Action mailed on November 16, 2005.

Claims 1, 12, 22, 31, and 52 are amended, no claims are canceled, and no claims are added; as a result, claims 1-64 are now pending in this application. The amendments to the claims are fully supported by the specification as originally filed. No new matter is introduced. Applicant respectfully requests reconsideration of the above-identified application in view of the amendments above and the remarks that follow.

Support for the amendments to claims 1, 12, 22, 31, and 52 may be found in the specification, for example, on page 26, lines 19-27.

Information Disclosure Statement

Applicant submitted a Supplemental Information Disclosure Statement and a 1449 Form on January 18, 2005. Applicant respectfully requests that an initialed copy of the 1449 Form be returned to Applicants' Representatives to indicate that the cited references have been considered by the Examiner.

Communication of Co-pending Related Cases

Applicant brings to the attention of the Examiner, the co-pending commonly assigned U.S. Patent Applications, serial numbers 10/231,687 and 10/461,593 claiming priority from the same patent application, U.S. Patent Applications, serial number 08/902,133, as does the instant application. Office Actions have been issued in these cases.

§102 Rejection of the Claims

Claims 1-5, 11-16, 18, 19, 21-25, 28, 30-34, 36, 52-57 and 60-64 were rejected under 35 USC § 102(b) as being anticipated by (Japanese Patent Application No. 6-13626, hereinafter JPA '626). Applicant traverses these grounds of rejection of these claims.

Applicant cannot find in Japanese Patent Application No. 6-13626 (hereafter JPA '626) a disclosure, a teaching, or a suggestion of operating an electronic device including storing data by changing charge on a storage electrode configured such that an energy barrier at an interface between the storage electrode and an adjacent insulator has a barrier energy of less than

approximately 1.8 eV as recited in claim 1, as amended. In the Office Action, JPA '626 is cited with respect to a LaB₆ non-metal floating gate adjacent silicon dioxide or silicon oxidation nitride, in which JPA indicates that the work function of LaB₆ is 2.8 eV and the barrier energy is about 1.9 eV. Therefore, Applicant submits that JPA '626 does not teach all the elements of claim 1. Thus, Applicant submits that JPA '626 does not anticipate claim 1 and that claim 1 is patentable over JPA '626. For at least reasons similar to those discussed above with respect to claim 1, Applicant submits that JPA '626 does not anticipate claims 12, 22, 31, and 52 and that claims 12, 22, 31, and 52 are patentable over JPA '626.

Additionally, claims 2-5, 11, and 60, claims 13 -16, 18, 19, 21, and 61, claims 23-25, 28, 30, and 62, claims 32-34, 36, and 63, and claims 53-57 and 64 depend on claims 1, 12, 22, 31, and 52, respectively, and are patentable over JPA '626 for at least reasons similar to those stated above with respect to claim 1.

Applicant has limited the discussion of the traversal of the Office Action rejections to such discussion as is necessary to efficiently expedite the prosecution of the abovementioned application. Thus, Applicant does not address herein assertions in the Office Action regarding inherency and the instant claims. Applicant respectfully disagrees with these assertions and reserves the right to address the traversal of these assertions at a later time if necessary.

Applicant respectfully requests withdrawal of these rejections of claims 1-5, 11-16, 18, 19, 21-25, 28, 30-34, 36, 52-57 and 60-64, and reconsideration and allowance of these claims.

§103 Rejection of the Claims

Claims 6-10, 17, 20, 26, 27, 29 and 35 were rejected under 35 USC § 103(a) as being unpatentable over JPA '626. Applicant traverses these grounds of rejection of these claims.

Claims 6-10, claims 17 and 20, claims 26, 27, and 29, and claim 35 depend on independent claims 1, 12, 22, and 31, respectively. Therefore, Applicant submits that claims 6-10, 17, 20, 26, 27, 29 and 35 are patentable over JPA '626 for at least reasons similar to those stated above with respect to independent claims 1, 12, 22, and 31.

Applicant has limited the discussion of the traversal of the Office Action rejections to such discussion as is necessary to efficiently expedite the prosecution of the abovementioned application. Thus, Applicant does not address herein assertions in the Office Action regarding

inherency and optimization of features and the instant dependent claims. Applicant respectfully disagrees with these assertions and reserves the right to address the traversal of these assertions at a later time if necessary.

Applicant respectfully requests withdrawal of these rejections of claims 6-10, 17, 20, 26, 27, 29 and 35, and reconsideration and allowance of these claims.

Allowable Subject Matter

Claims 37-51, 58, and 59 were allowed.

Applicant acknowledges allowance of claims 37-51, 58, and 59.

Conclusion

Applicant respectfully submits that the claims are in condition for allowance, and notification to that effect is earnestly requested. The Examiner is invited to telephone Applicant's attorney at (612) 371-2157 to facilitate prosecution of this application.

If necessary, please charge any additional fees or credit overpayment to Deposit Account No. 19-0743.

Respectfully submitted,

LEONARD FORBES ET AL.

By their Representatives,

SCHWEGMAN, LUNDBERG, WOESSNER & KLUTH, P.A.
P.O. Box 2938
Minneapolis, MN 55402
(612) 371-2157

Date 16 February 2006 By 
David R. Cochran
Reg. No. 46,632

CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail, in an envelope addressed to: Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this 16 day of February, 2006.


Name


Signature